

AMENDED IN SENATE APRIL 27, 2004

AMENDED IN SENATE MARCH 22, 2004

**SENATE BILL**

**No. 1291**

**Introduced by Senator Burton**

February 17, 2004

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An act to add Section 12939 to the Insurance Code, relating to the Insurance Commissioner.

LEGISLATIVE COUNSEL'S DIGEST

SB 1291, as amended, Burton. Insurance Commissioner: approvals.

Existing law provides for the regulation of insurance by the Insurance Commissioner. Existing law requires insurers to obtain approval from the commissioner to use various documents or processes related to insurance.

This bill would require the commissioner, if he or she has approved a class plan, a rating methodology, an underwriting or eligibility rule, or a policy form for use by an insurer *that writes automobile insurance or insurance for loss or damage to real property, as specified*, and the use is still allowed, to allow the use of that plan, methodology, rule, or form by another insurer *of the same class*, upon a proper filing by that insurer.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1.   Section 12939 is added to the Insurance Code,  
2   to read:  
3     12939.   If the commissioner has approved a class plan, a rating  
4   methodology, an underwriting or eligibility rule, or a policy form  
5   for use by an insurer *that writes automobile liability, automobile*  
6   *physical damage, or automobile collision insurance, as defined in*  
7   *Section 660, or insurance for loss of or damage to real property*  
8   *that is used predominantly for residential purposes and that*  
9   *consists of not more than four dwelling units, and the use is still*  
10  allowed, the commissioner shall allow the use of that plan,  
11  methodology, rule, or form by another insurer *of the same class,*  
12  upon a proper filing by that insurer. *The insurer must comply with*  
13  *any other applicable law or regulation.*

